

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Anthony D. Dudley

Docket No. 5:09-CR-358-1BO

Petition for Action on Supervised Release

COMES NOW John Seth Coleman, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Anthony D. Dudley, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924, and Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. § 924(c), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on July 28, 2010, to the custody of the Bureau of Prisons for a term of 111 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. Anthony D. Dudley was released from custody on February 26, 2018, at which time the term of supervised release commenced.

On April 13, 2018, the court was notified of the defendant's positive urinalysis for Codeine, where the defendant admitted to taking one of his mother's Tylenol with Codeine pills to alleviate pain associated with a severe toothache. The court agreed to continue supervision without modification.

On July 9, 2018, the court was notified that the defendant had committed the new offense of Driving While License Revoked in Harnett County (18CR 705764), where the defendant admitted to operating a motor vehicle without a valid driver's license. The court agreed to continue supervision without modification.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On September 27, 2018, the defendant submitted a urine sample that was returned positive for marijuana. When confronted with the positive test result, the defendant denied having consumed marijuana, but did not refute the validity of the urinalysis, stating that he had been present when some of his cousins were smoking marijuana, and that he likely inhaled the smoke second hand. In response to the positive urinalysis, the defendant has been verbally reprimanded for his behavior and will be referred for a substance abuse assessment, and to complete any recommended treatment. He will also be enrolled in the Surprise Urinalysis Program for more frequent drug testing. The defendant has further been advised that continued use of controlled substances will result in additional court action. The defendant has signed a Waiver of Hearing agreeing to the proposed modification of supervision.

Additionally, the defendant has two unserved criminal summonses in Cumberland County, North Carolina: Misdemeanor Larceny (18CR 062823) and Misdemeanor Communicating Threats (18CR 062825). The defendant has verbally denied the behaviors alleged in both summonses, indicating that the charges are the result of ill will the alleged victim is harboring for him. As it relates to the pending misdemeanors, disposition of the state charges will be monitored, and should either charge result in a conviction, the court will be notified immediately.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ John Seth Coleman
John Seth Coleman
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2545
Executed On: October 11, 2018

ORDER OF THE COURT

Considered and ordered this 11 day of October, 2018, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge